

**FILED**  
DISTRICT COURT OF GUAM

JAN 19 2007 *RSW*

**MARY L.M. MORAN**  
CLERK OF COURT

1 **CHARFAUROS\_A.gar5**

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5  
6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE DISTRICT OF GUAM  
8

9 UNITED STATES OF AMERICA, )

10 Plaintiff, )

11 vs. )

12 ANNIE MARIE Q. CHARFAUROS, )

13 Defendant, )

14 WENDY'S OLD FASHIONED  
15 HAMBURGERS OF GUAM,

16 Garnishee.  
17

CRIMINAL CASE NO. 01-00108

18  
19 **ANSWER OF THE GARNISHEE**

20  
21

22 Cathy J. Castro, BEING DULY SWORN DEPOSES AND SAYS:  
23 (Affiant-person preparing/signing)

24  
25

26 That he/she is Garnishee herein doing business in the name of Wendys Old Fashioned  
27 Hamburgers of Guam LLC (1779 P. Silvestre Bldg. Rt 16 Ste 104 Dededo, Gu 96929.

28 (State full name and address of business)

IF GARNISHEE IS A PARTNERSHIP:

That he/she is a member \_\_\_\_\_ of a partnership  
composed of which Garnishee is a partner.

1 IF GARNISHEE IS A CORPORATION:

2 That he/she is the (State Official Title) \_\_\_\_\_ of Garnishee,  
3 \_\_\_\_\_ a corporation, organized under the laws of the  
4 \_\_\_\_\_.

5 IF GARNISHEE IS A GOVERNMENT ENTITY:

6 State name and address of agency, and name and official title of authorized  
7 representative: \_\_\_\_\_  
8 \_\_\_\_\_  
9 \_\_\_\_\_  
10 \_\_\_\_\_

11 1. On \_\_\_\_\_, 2006, Garnishee was served with the Writ  
12 of Continuing Garnishment. For the pay period in effect on the date of service (shown above)

13 Yes No

14 ☒ \_\_\_\_\_ Defendant was in my/our employ.

15 Pay period is weekly \_\_\_\_\_, bi-weekly ☒, semi-monthly \_\_\_\_\_, monthly \_\_\_\_\_.

16 The Defendant's present pay period began on 12.04.06.

17 (Present means the pay period in which this order and notice of  
18 garnishment were served)

19 The Defendant's present pay period ends on 12.17.06

20 Enter amount of net wages. Calculate below:

21	(a) Gross Pay	\$ <u>473.86</u>
22	(b) Federal income tax	<u>0</u>
23	(c) F.I.C.A. income tax	<u>36.25</u>
24	(d) State/Local income tax	<u>0</u>
25	Total of tax withholdings	\$ <u>36.25</u>
26	Net Wages	\$ <u>437.61</u> (a less total of b,c,d)

27 //

28 //

1 Yes No

2 2. Are you aware of any other garnishments, suggestions or levies currently  
3 in effect. If the answers is yes, please attach to this Answer a copy of each  
4 garnishment, suggestion or levy.

5 Yes

6 3. Do you or will you in the foreseeable future, owe the defendant money? If  
7 your answer is yes, please provide the amount of money you will owe, the  
8 date or dates on which each payment is due, and the reason why you owe  
9 or will owe the money to the Defendant:

10 Type of Payment  
(salary, commission, etc..)

Amount

Date Payment  
is Due

11 1. N/A

12 2. \_\_\_\_\_

13 3. \_\_\_\_\_

14  
15 4. If you currently have in your custody, control or possession property (other than  
16 earnings) in the form of savings accounts, pensions, thrift plans, etc., in which the Defendant  
17 maintains an interest, for each item of property provide the following information:

18 Description of  
Property

Approximate  
Value

Description of  
Debtor's Interest

19 1. N/A

20 2. \_\_\_\_\_

21 3. \_\_\_\_\_

22 4. \_\_\_\_\_

23  
24 //

25 //

26 //

27 //

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5. For each item of property (other than earnings) which you expect to obtain custody or possession of in the foreseeable future, provide the following information:

<u>Description of Property</u>	<u>Approximate Value</u>	<u>Description of Debtor's Interest</u>	<u>Date you will obtain property</u>
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1.	N/A			
2.				
3.				
4.				

Yes      No

\_\_\_\_\_ ✓ 6. Do you make any claim of exemption on the part of Defendant? If yes, please explain the nature and basis of your claim:

N/A	

Yes      No

\_\_\_\_ ✓ 7. Do you have any objections to the garnishment of the Defendant? If yes, please explain the nature and basis of your objection:

N/A

11

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1 8. Check the line below if you deny that you hold property subject to this order of  
2 garnishment:

3 ☒ [The Garnishee was then in no manner and upon no account indebted or  
4 under liability to the Defendant, ANNIE MARIE Q. CHARFAUROS, and  
5 that the Garnishee did not have in his/her possession or control any  
6 property belonging to the Defendant, or in which the Garnishee has an  
7 interest; and is in no manner liable as Garnishee in this action.]

8 9. The Garnishee mailed a copy of this answer by first-class mail to (1) the Debtor,  
9 ANNIE MARIE Q. CHARFAUROS, at P.O. Box XXXX., Agat, Guam 96928 and (2) the  
10 attorney for the United States, Marivic P. David, Assistant United States Attorney, U.S.  
11 Attorney's Office, Sirena Plaza, Suite 500, 108 Hernan Cortez Avenue, Hagåtña, Guam 96910-  
12 5059.

14 WENDY'S OLD FASHIONED HAMBURGERS  
15 OF GUAM  
16 Garnishee

17 By: Cathy J. Castro Cathy Castro  
18 1779 R. Silvestre Bldg. Rt 16 Ste 104  
19 Dededo, Guam 96929  
20 (671) 646-9057  
21 Name/address/Phone Number of person preparing Answer

23 The foregoing instrument was acknowledged before me this 17th day of January,  
24 ~~2006~~  
25 2007

26 Marlene C. Orpilla  
27 Notary Public

28 **MARLENE C. ORPILLA**  
NOTARY PUBLIC  
In and for Guam, U.S.A.  
My Commission Expires: July 05, 2009  
P.O. Box 569 Hagatna, Guam 96932